

# CALFRESH (CF) PROGRAM

## REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 4/4/17	NEED RESPONSE BY: 4/11/17
	6. COUNTY/ORGANIZATION: Santa Barbara County	
	7. SUBJECT: Including Tips in the Budget	
2. REQUESTOR NAME:	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>  ACL 12-25	
3. PHONE NO.:		
4. REGULATION CITE(S):		

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Scenario: Based on year to date information on the check stubs, the client has been consistently getting cash tips on the pay stubs but the amounts vary. The amount and date for the tips to be received is uncertain.

Question: Would tips be included in the budget?

10. REQUESTOR'S PROPOSED ANSWER:

Per ACL 12-25, income is reasonably anticipated when the recipient and the county determines it is reasonably certain that the recipient will receive a specified amount of monthly income in the SAR Payment Period. Because the client is not certain that tips will be received, the dates or amount is also uncertain, tips can't be reasonably anticipated and should not be included in the budget for the upcoming SAR payment period.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

The State concurs with the proposed answer, but adds the following from ACL 12-25 page 26: if the household's monthly income fluctuates, the CWD must attempt to find out the amount of income the household reasonably expects to receive, in order to determine what income, if any, can be reasonably anticipated and used in the next payment period's benefit calculation. Only that portion of income that the household reasonably anticipates it will receive can be used in the benefit calculation. If in the example mentioned, the recipient has somewhat fluctuating income but has been consistently receiving tips, they may agree that they usually make at least a minimum of \$100 a month in tips, the minimum anticipated income can be anticipated.

If however, the recipient can't anticipate the amount, then no income can be reasonably anticipated.

### FOR CDSS USE

DATE RECEIVED:	DATE RESPONDED TO COUNTY/ALJ:
	4/26/17 AF